

Rec'd PCT/PTO

10 APR 2006

#6
PB

04/10/2006 16:41 4128091054

LANXESS

PAGE 01/16

LANXESS Corporation



Fax Coversheet

Date: April 10, 2006

Number of pages (including this page) 16

To: Office of PCT Legal Administration

From: Jill Denesvich

Company: USPTO

Div/Dept.: Law & Intellectual Property

Fax: 571-273-3201

Fax: 412-809-1054

Phone:

Phone: 412-809-2232

ATTORNEY DOCKET: CH8351/LeA 36,481

SERIAL NUMBER: 10/534,849

FILED: 5/13/2005

Please find a Transmittal Letter regarding Inventorship.

If you have any questions please call.

/lmr

S:\Law Shared\SHARED\DOVE\PATENTS\8351\4-10-06 Fax Coversheet-USPTO.doc

RECEIVED
25 APR 2006
Legal Staff
International Division

NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that inadvertent disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review, disclosure, copying, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the original facsimile at our cost.

PATENT APPLICATION
CH8351
LeA 36,481

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF)	
HORST BERNETH ET AL)	
SERIAL NO.: 10/534,849)	GROUP NO
INTERNATIONAL FILING DATE:)	
04 November 2003)	EXAMINER: DANIEL STEMMER
TITLE: OPTICAL DATA STORE)	
COMPRISING A CO)	
PTHALOCYANINE HAVING AN)	
AXIAL SUBSTITUENT...)	
INFORMATION LAYER)	

TRANSMITTAL LETTER REGARDING INVENTORSHIP

Mail Stop PCT
Commissioner for Patents
ATTN: Office of Patent Cooperation Treaty Legal Administration
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Examiner Stemmer:

This is in response to the Notification letter dated 10 February 2006 regarding the discrepancy of the first-named inventor. The Declaration of inventors filed 12 October 2005 in the above-identified application lists first-named inventor as Horst Berneth; the published international application incorrectly lists the first-named inventor as Horst Bruder.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

U.S. Department of Commerce, Reg. No. 52,810
Name of applicant, assignee or Registered Representative
Signature
April 10, 2006
Date

BEST AVAILABLE COPY

CH8351/LeA 36481

The published international application contains an error in the first-named inventor's name. The first-named inventor is Horst Berneth, who is joint inventor of the subject matter of the present application, and which is evidenced by the enclosed copy of the PCT-Easy transmittal for the international application and the Declaration filed 12 October 2005.

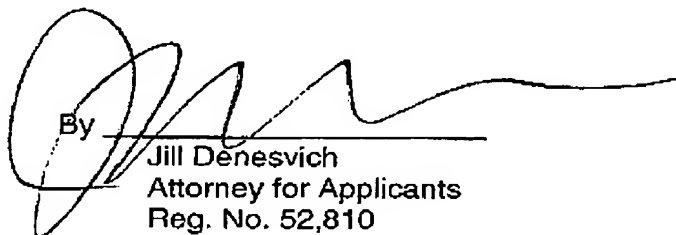
The circumstances surrounding the difference in names on the international application and the declaration appear to be an inadvertent error made during the publication of the application by the International Bureau of WIPO. When Applicant became aware of the discrepancy, counsel sent a letter to the International Bureau of WIPO with a request to correct the error of the first-named inventor in the publication, with a copy of the publication annotated. A copy of the letter is enclosed. The International Bureau of WIPO sent a Communication (PCT/IB/345) on 22 March 2006 stating the re-publication of the pamphlet front page, correcting the first-named inventor error, is scheduled for 27 April 2006. A copy of this Communication is attached for the Examiner's convenience.

The Notification indicates that "[b]ecause this difference in names is more than a mere typographical error or a phonetic misspelling of applicant's legal name, a proper petition under 37 CFR 1.182 is required in order to resolve the matter." Accordingly, the declaration filed 12 October 2005 is consistent with the *corrected* international application. However, in the event that a Petition Fee is required, the Commissioner of Patents is hereby authorized to charge the \$400.00 fee to Deposit Account No. 50-2527.

CH8351/LeA 36481

Should the Examiner have any questions regarding this application, the Examiner is invited to initiate a telephone conference with the undersigned.

Respectfully submitted,

By 
Jill Denesvich
Attorney for Applicants
Reg. No. 52,810

April 10, 2006

LANXESS Corporation
111 RIDC Park West Drive
Pittsburgh, PA 15275-1112
(412) 809-2232
FACSIMILE PHONE NUMBER:
(412) 809-1054